IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 862 (SS) of 2007

Munni Nayal,
W/o Sri Narendra Nayal,
R / o Police Line Road,
Pithoragarh. **…….Petitioner**

Versus

1. State of Uttarakhand through Director of Education, Uttarakhand, Dehradun.
2. District Education Officer, District – Pithoragarh.
3. Additional District Education Officer (Basic), District – Pithoragarh.

…….Respondents

Hon'ble M.M. Ghildiayl, J

Heard Sri Lalit Samant, learned counsel for the petitioner and learned Brief holder for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 16.06.2007 passed by Additional District Education Officer (Basic), Pithoragarh by which petitioner has been transferred from Primary School, Mar, Munakot, District – Pithoragarh to Primary School, Bongarh, Berinag.

Learned counsel for the petitioner has submitted that by the impugned order petitioner has been transferred from sugam area to ati durgam area though she is suffering from focal convulsion (epileptic fits) and it is advised by the doctors to remain in the area where she will get immediate medical facilities.

In this regard, petitioner has already moved representation before District Education Officer, Pithoragarh for redressal of her grievances (Annexure no. 4 to the writ petition) and the same has been received in the office of District Education Officer on 23.06.2007.

In these circumstances, I direct the District Education Officer, Pithoragarh to take decision on the aforesaid representation of the petitioner within a period of ten days from the date of production of certified copy of this order.

Petitioner is directed to submit the certified copy of this order before District Education Officer, Pithoragarh, within a period of one week from today. Till the representation is decided by District Education Officer, Pithoragarh or till 31st July 2007, whichever is earlier, the impugned order dated 16.06.2007 passed by the Additional District Education Officer (Basic), Pithoragarh, so far as it relates to the petitioner, shall not be given effect to.

With this direction, the writ petition as well as stay application stands disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 12, 2007
SKS